

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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U.S. DISTRICT COURT
DISTRICT OF MASS.

CHARLES DONOGHUE,

Plaintiff,

v.

BARTON PROTECTIVE SERVICES and
DANIEL NAVEDO,

Defendants.

Civil Action No. 0411792-RGS

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

The parties submit this Joint Statement pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts and the Court's Notice of Scheduling Conference. The parties and agree and request that the Court approve the following proposed Pretrial Schedule and Discovery Plan:

Proposed Pretrial Schedule and Discovery Plan

- | | |
|-------------------|---|
| July 1, 2005 | Deadline for completion of all fact discovery, including requests for production of documents, interrogatories and fact witness depositions. Defendants proposed that the parties agree that Plaintiff's deposition, and the deposition of one fact witness, not be limited to seven hours or to one day. Plaintiff has not agreed to Defendants' proposal. |
| September 1, 2005 | Deadline for filing dispositive motions, if any party determines that such a motion is appropriate. |
| October 3, 2005 | Deadline for filing oppositions, if any, to dispositive motions. A moving party may file a reply to the opposition of the responding party. |
| November 1, 2005 | Plaintiff to disclose his experts and expert reports. |
| December 5, 2005 | Defendant to disclose its expert and expert reports. |
| February 28, 2005 | Depositions of Plaintiff's and Defendant's experts to be completed. |

The parties understand and agree that this discovery schedule assumes the cooperation of the parties, all third party witnesses and expert witnesses. The parties further agree that requests for additional time for discovery may be made and shall be reasonably agreed to in the event of delays occasioned by discovery disputes requiring a decision by the Court, and/or the unavailability of fact or expert witnesses due to vacation or work schedules.

Settlement Discussion

The parties have discussed settlement and settlement discussions are on-going.

Certifications

Each party will submit under separate cover the certification required by Local Rule 16.1(D)(3).

WHEREFORE, Plaintiff and Defendants respectfully request that the Court approve their Proposed Pretrial Schedule and Discovery Plan, with such amendments as the Court deems just and proper.

Respectfully submitted,

FOR PLAINTIFF

Paul Manoff by Samia Kirmani
Paul Manoff
47 Winter Street
Boston, MA 02108

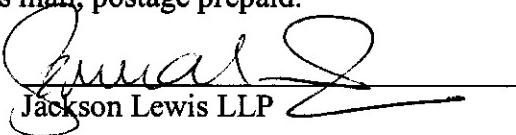
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Dated: October 18, 2004

CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of October, 2004, I caused a true and accurate copy of the above document to be served upon Plaintiff's counsel, Paul A. Manoff, 47 Winter Street, #4, Boston, MA 02108, by first-class mail, postage prepaid.



Jackson Lewis LLP

A handwritten signature in black ink, appearing to read "Michael S." followed by a surname, is written over a horizontal line. Below the signature, the words "Jackson Lewis LLP" are printed in a standard font.